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5  
6 Attorney for Debtors Perez

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8 UNITED STATES BANKRUPTCY COURT  
9 EASTERN DISTRICT OF CALIFORNIA, FRESNO

10 In Re:

11 Mario Francisco Perez  
12 and Diana Valenzuela Perez,  
13 dba Mario's Landscaping,  
dba Apartamentos Los Olivos

14 Debtors.

Chapter 13

Case No.: 15-13604

DC No. PBB-1

**PRELIMINARY HEARING**

Date: September 30, 2015

Time: 11:00 A.M.

Ctrm: 11

Dept. A (5<sup>th</sup> Floor)

United States Bankruptcy Court

2500 Tulare Street

Fresno CA 93721-1318

[HONORABLE FREDERICK E. CLEMENT]

18  
19  
20  
21 **ORDER GRANTING AUTHORITY FOR INTERIM USE OF CASH COLLATERAL**

22 Pursuant to the findings stated on the record at the above-captioned hearing, IT IS  
23  
24 **HEREBY ORDERED:**

25 1. The motion is granted and will continue in effect until the continued hearing date  
26 of October 22, 2015 at 9:00 am in the above-captioned court.

RECEIVED

October 05, 2015

CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
0005637101

2. All revenue generated by the Debtor from the 24 unit apartment complex located at 1715 N. Street, Firebaugh, CA, 93622 ("the Apartments") is property of the estate and is Cash Collateral securing the claim of U.S. Bank National Association, as successor-in-interest to the Federal Deposit Insurance Corporation, as receiver for Park National Bank ("U.S. Bank").

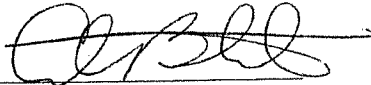
3. The Debtor shall establish a new bank account ("Bank Account") into which he will deposit all income from the Apartments. Debtor shall not commingle these funds with funds from any other source.

4. By the 12<sup>th</sup> day of each month, beginning in the month of October, the Debtor shall pay from the Bank Account the minimum amount of \$8,000 to the Plan. Of this amount, \$7,200 is adequate protection for U.S. Bank's secured claim to be paid under Class One of the Plan. The remaining \$800 covers the Trustee fees for administration of said adequate protection payment. Said \$8,000 monthly payment is a part of the total monthly Plan payment of \$11,000.


5. Attached hereto as Exhibit A is the Debtor's amended budget showing the operating income and expenses for the Apartments. Debtor is authorized to use Cash Collateral in accordance with the expenses shown on this amended budget.

6. U.S. Bank is granted a replacement lien to the extent cash collateral is actually used.

KATTEN MUCHIN ROSENMAN LLP  
Cristina Bautista

By:   
Attorney for Secured Creditor  
US Bank, National Association, as successor-in-  
interest to the Federal Deposit Insurance Corporation,  
as receiver for Park National Bank

Dated: Oct 05, 2015

  
Fredrick E. Clement  
United States Bankruptcy Judge

**United States Bankruptcy Court**  
**Eastern District of California**

In re **Mario Francisco Perez**  
**Diana Valenzuela Perez**

Debtor(s)

Case No. 15-13604A-13F

Chapter **13**

**AMENDED-BUSINESS INCOME AND EXPENSES-APARTAMENTOS LOS OLIVOS**

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

**PART A - GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:**

1. Gross Income For 12 Months Prior to Filing: \$ **163,300.00**

**PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:**

2. Gross Monthly Income \$ **13,608.33**

**PART C - ESTIMATED FUTURE MONTHLY EXPENSES:**

3. Net Employee Payroll (Other Than Debtor)	\$ <u><b>658.33</b></u>
4. Payroll Taxes	<u><b>150.00</b></u>
5. Unemployment Taxes	<u><b>0.00</b></u>
6. Worker's Compensation	<u><b>0.00</b></u>
7. Other Taxes	<u><b>0.00</b></u>
8. Inventory Purchases (Including raw materials)	<u><b>0.00</b></u>
9. Purchase of Feed/Fertilizer/Seed/Spray	<u><b>0.00</b></u>
10. Rent (Other than debtor's principal residence)	<u><b>0.00</b></u>
11. Utilities	<u><b>1,100.00</b></u>
12. Office Expenses and Supplies	<u><b>0.00</b></u>
13. Repairs and Maintenance	<u><b>700.00</b></u>
14. Vehicle Expenses	<u><b>0.00</b></u>
15. Travel and Entertainment	<u><b>0.00</b></u>
16. Equipment Rental and Leases	<u><b>0.00</b></u>
17. Legal/Accounting/Other Professional Fees	<u><b>0.00</b></u>
18. Insurance	<u><b>0.00</b></u>
19. Employee Benefits (e.g., pension, medical, etc.)	<u><b>0.00</b></u>

20. Payments to Be Made Directly By Debtor to Secured Creditors For Pre-Petition Business Debts (Specify):

DESCRIPTION

TOTAL

21. Other (Specify):

DESCRIPTION

TOTAL

22. Total Monthly Expenses (Add items 3-21) \$ **2,600.00**

**PART D - ESTIMATED AVERAGE NET MONTHLY INCOME:**

23. AVERAGE NET MONTHLY INCOME (Subtract item 22 from item 2) \$ **11,000.00**

***EXHIBIT "A"***